

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33338 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -KADIRGANJ District- PATNA

1. Nitish Kumar, aged about 28 years, Son of Devnandan Prasad Resident of Village- Baribigha, P.S Kadirganj, Distt Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Kumar

For the Opposite Party/s : Mr. Sri Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-08-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offence punishable under Section 498A and 506 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instructions, it is submitted that the petitioner admits his marriage with the informant and at present the informant is residing with the petitioner.

Earlier also, Complaint Case Nos. 194C of 2013

and 184C of 2014 were filed but both were withdrawn on the basis of compromise. It appears from the impugned order that all the time the petitioner used to take the informant to her matrimonial house but thereafter he used to inflict torture.

Considering the fact that the informant is presently residing with the petitioner, let the above named petitioner be released on provisional anticipatory bail for four months in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Masaurhi in connection with Kadiraganj P.S. Case No. 2 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and on her appearance if the informant admits that she is residing with the petitioner or she is willing to resume the conjugal life then the provisional bail of the petitioner will be confirmed by the learned court below but if the informant admits that she is not residing with the petitioner then the learned court below will make all the



efforts to reconcile the issue and after reconciliation of the
issue he will confirm the provisional bail.

(Dinesh Kumar Singh, J)

Anil/-

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